# Timeline for change

The amended *Strata Titles Act 1985* will take effect in Western Australia on 1 May 2020. It will include grace periods for some new requirements to ensure those affected have adequate time to meet them.

## 1. Better buyer information

**Strata buyers to receive more information about the property they are looking to buy – upfront, before signing a contract of sale.**

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| New disclosure obligations are being introduced for sellers of strata titles. | Starting 1 May 2020. | • Strata sellers  
• Prospective strata buyers  
• Real estate agents |

## 2. More efficient dispute resolution

**Strata disputes will have a more cost-effective and efficient dispute resolution forum.**

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| State Administrative Tribunal (SAT) to become the ‘one-stop-shop’ for strata disputes in Western Australia. | Starting 1 May 2020:  
• All new strata disputes to be heard in SAT.  
• Any existing strata disputes which have already commenced in a court are to continue in that forum. | • Strata owners  
• Strata tenants  
• Strata managers  
• Strata council members |

## 3. A fairer process for scheme termination

**Scheme termination relates to the collective sale or redevelopment of strata schemes.**

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| Fairer scheme termination process with comprehensive new safeguards for all strata owners. | Starting 1 May 2020:  
• Any new strata scheme termination proposals to comply with the new process.  
• Any existing strata terminations underway prior to 1 May 2020 to continue as per the unamended Act. | • Strata owners  
• Property developers |

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### 4. Improving strata management and by-laws

Strata schemes will benefit from better by-laws, modernised scheme management, statutory duties for strata managers and in some instances, the introduction of a 10-year maintenance plan and reserve fund.

#### 4.1 - By-laws made clearer and fairer

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| Changes to by-laws aim to improve scheme management, minimise disputes and make living in strata fairer. They also set out a need for scheme by-laws to be consolidated, under certain circumstances. | Starting 1 May 2020. | • Strata owners  
• Strata tenants  
• Strata companies |

#### 4.2 – Introduction of 10-year maintenance plan and reserve fund

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| Strata schemes with 10 lots or more are required to have a 10-year maintenance plan and reserve fund. This is also required from schemes with a $5 million replacement cost for building/s or improvements on the common property. | By 1 May 2021 or after.  
The 10-year plan must be submitted at the first annual general meeting that is one full year after commencement. | Strata companies |

#### 4.3 – Modernising how schemes are being run

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<td>The running of strata schemes will better reflect modern strata management needs. For example, electronic options are being introduced for scheme communications, voting and meeting attendance.</td>
<td>Starting 1 May 2020.</td>
<td>Strata owners</td>
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#### 4.4 - Changes to the role of strata managers

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| There will be clear statutory duties for strata managers which require them to:  
• act honestly, with reasonable skill and care  
• have a good knowledge of the Act  
• not improperly use information or their position  
• inform the strata company of any conflict of interest as soon as practical  
• disclose any benefit/remuneration that's more than $100 from one source in a year. | Starting 1 May 2020. | • Strata managers – volunteer and paid  
• Strata companies  
• Strata councils |

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Strata managers will also need to:

a) Attain **educational qualifications.**
   - **By 1 May 2024.**
   - (Four years after commencement).

b) Have a **written contract** between them and the strata company, specifying the functions they are contracted to perform.
   - **Starting 1 May 2020,** all new contracts must meet the new requirements.
   - There is a six-month grace period for existing contracts to reflect the new requirements (to 1 November 2020).

c) Obtain a **current national criminal record** check for themselves and employees who perform strata management functions.
   - **Starting 1 May 2020** for all new contracts.
   - There is a six-month grace period for existing contracts (to 1 November 2020).

d) Have **professional indemnity insurance** coverage.
   - **Starting 1 May 2020** for all new contracts.
   - There is a six-month grace period for existing contracts (to 1 November 2020).

e) Lodge an **annual return** to Landgate with general information about the schemes they manage.
   - This annual return will enable the government to determine if the licensing of strata managers is viable or required in the future.
   - The first annual return will need to be lodged with **Landgate between 1 January 2022 and 31 March 2022,** and then annually after that for the next four years.

5. **Introducing leasehold strata**

**Leasehold** is a new form of land ownership in WA that will become available, starting 1 May 2020.

- **What’s new?**
  - A leasehold strata title is a built strata or survey-strata scheme with a fixed term of between 20 and 99 years.

- **Timeline for change**
  - **Starting 1 May 2020,** plans for leasehold strata can be lodged at Landgate.
    - (After approval for those plans has been received by the Western Australian Planning Commission).

- **Who needs to know?**
  - Property developers
  - Potentially land owners with land they cannot sell (for example, churches and universities)

6. **More flexible staged subdivision**

There will be more flexibility for the staged development of strata and survey-strata schemes.

- **What’s new?**
  - It will be clear when the consent of owners is required to change the way a scheme is being developed.

- **Timeline for change**
  - **Starting 1 May 2020,** any new staged developments of strata and survey-strata schemes to follow requirements of the amended Act.

- **Who needs to know?**
  - Property developers
  - Strata owners

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